

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:05-CR-144
)	(JARVIS/GUYTON)
CARL J. SCHILK,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter came before the undersigned on December 13, 2005 for a scheduled detention hearing. Tracee Plowell was present representing the government. Assistant Federal Defender Kim Tollison was present represent the defendant. The defendant was also present.

In the Court's oral ruling, a complete review and analysis of the parties' positions, issues, and facts were stated. That specific and detailed oral ruling is attached hereto and made a part of this order as if stated herein verbatim.

For the reasons stated therein, I find by clear and convincing evidence that the defendant poses a danger to the safety of other persons and/or the community if released and that there are no conditions or combination of conditions of release that will reasonably assure the safety of others or the community.

It is therefore **ORDERED** that the defendant, Carl J. Schilk be detained. The defendant will be committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate to the extent practicable from persons awaiting sentences or serving sentences or being held in custody pending appeal. The

defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of this Court or a Court of the United States or upon request of the attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshals for the purpose of an appearance in connection with a Court proceeding.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge